

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DR. DAVID S. FIELD AND HOLLY FIELD,

Plaintiffs,

21-cv-1990 (JGK)

ORDER

- against -

EXPONENTIAL WEALTH INC., ET AL.,

Defendants.

JOHN G. KOELTL, District Judge:


In view of the plaintiffs' filing of the Second Amended Verified Complaint ("SAC," ECF No. 138), the defendants' motion to dismiss the Amended Verified Complaint (ECF No. 71) is denied without prejudice as moot. The defendants' response to the SAC is due by June 24, 2022.

The Court notes that there is an outstanding motion for a default judgment as to Ryan Murnane a/k/a Ryan Michaels and Kystalynne Murnane by Dr. Field that has not yet been responded to. See ECF No. 126. Any opposition to the motion for a default judgment is due by June 24, 2022. If Ryan Murnane a/k/a Ryan Michaels and Kystalynne Murnane fail to respond to the motion for a default judgment by that date, the motion will be decided on the current papers.

The Clerk is directed to close Docket No. 71. The Clerk is further directed to mail a copy of this Order to the defendants and to note service on the docket.

SO ORDERED.

Dated: June 3, 2022
New York, New York



John G. Koeltl
United States District Judge